

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF ALABAMA
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October 9, 2007

NOTICE OF CORRECTION

From: Clerk's Office

Case Style: James Earl Crenshaw v. Coosa County Jail, et al.

Case Number: 2:07-cv-793-MHT

Pleading : #12 - Affidavit of David Stover filed as Exhibit C to Special Report

Notice of Correction is being filed this date to advise that the referenced pleading was e-filed on 10/8/2007 with the unsigned affidavit of David Stover attached.

The signed affidavit is attached to this notice.

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JAMES EARL CRENSHAW,

Plaintiff,

 \mathbf{V}_i

COOSA COUNTY JAIL, et al.,

Defendants.

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) **Civil Action No. 2:07-cv-00793-MHT-CSC**
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AFFIDAVIT OF DAVID STOVER

STATE OF ALABAMA

COUNTY OF COOSA

BEFORE ME, the undersigned authority and Notary Public in and for said County and State at large, personally appeared David Stover, who being known to me and being by me first duly sworn on oath deposes and says as follows:

1. My name is David Stover. I am over the age of nineteen and competent to make this affidavit.
2. I am a Lieutenant for the Coosa County Sheriff's Office. I have served in that position for over six months.
3. I am familiar with James Earl Crenshaw because he has been incarcerated in the Coosa County Jail since I started in March of 2007.
4. I have read Mr. Crenshaw's Complaint and have personal knowledge of the facts underlying the Plaintiff's allegations.
5. I am aware that Mr. Crenshaw alleges in his Complaint that Sheriff Wilson accused him of breaking the law, and that he alleges in his Complaint that I opened his legal mail outside of his presence.

6. Mr. Crenshaw has not been prosecuted for any conduct or actions he has taken as a detainee in the Coosa County Jail since he was first incarcerated on June 22, 2006.

7. It is the policy of the Coosa County Jail that all that incoming inmate mail, with the exception of legal mail, be screened for contraband. The purpose of this policy is to ensure the safety and security of the jail, the jail staff, and the inmates.

8. It is the policy of the Coosa County Jail that all legal mail, including any correspondence from an inmate's attorney, the courts, or any public official, will be opened and inspected for contraband in the presence of the inmate.

9. Jail Administrator Mike Mull handed me a letter addressed to Mr. Crenshaw that appeared to be a court document.

10. The envelope had been sealed with a piece of tape on the envelope flap. It did not appear to have been opened.

11. I was instructed to deliver the envelope to Mr. Crenshaw, and I took it directly to him. He did not complain to me that it had been opened.

12. I did not open, or otherwise tamper with, Mr. Crenshaw's legal mail, nor am I aware of any tampering with Mr. Crenshaw's legal mail.

13. To my knowledge, Mr. Crenshaw never filed a grievance concerning his allegations that I opened his legal mail.

14. I swear, to the best of my present knowledge and information that the above statements are true, that I am competent to make this affidavit, and that the above statements were made by drawing from my personal knowledge of the situation.

Executed on this the 9 day of October, 2007.



DAVID STOVER

SWORN TO and **SUBSCRIBED** before me this 9th day of October, 2007.

Lena Johnston
NOTARY PUBLIC

My Commission Expires: 3-7-11